

DETAILED ACTION

Claims 22-35 are pending in the instant application. Claims 1-21 were cancelled by amendment filed on July 31, 2008. Claims 27 and 28 are cancelled by Examiner's Amendment. Claims 22-26 and 29-35 are allowed.

Response to Amendment and Arguments

Applicant's arguments and amendments filed July 31, 2008 have been fully considered and entered into the application.

In regards to the restriction requirement, it is noted that Applicant's arguments to the restriction requirement (dated November 2, 2007) filed December 3, 2007 along with an amendment have been fully considered and entered into the application. However, as Applicant states in the arguments filed on July 31, 2008, these arguments are moot in view of the restricted scope of the instant claims.

In regards to the 35 U.S.C. 103(a) rejection over EP 1,087,006 in view of Oxtoby et al. (i.e. claims 1, 5-10, 13, 15-17, 20, and 21), Applicant argues that '006 does not disclose pyridyl at A1 and A2 and that the instantly claimed compounds have certain specific characteristics which provide unexpectedly ideal performance in electroluminescent devices. These arguments are found to be persuasive and the 35 U.S.C. 103(a) rejection over EP 1,087,006 in view of Oxtoby et al. has been withdrawn.

In regards to the 35 U.S.C. 103(a) rejection over Langhals et al. in view of JP-A2 9003448 and US Patent No. 5,571,359 (i.e. claims 1, 2, 3, and 18), Applicant argues that nothing in the combination of US 5,354,869, JP-A2 9004338 and US 5,571,359 would direct or motivate one to substitute the pyridyl DPP of '869 with the arylamine of

the instant invention or which suggests the unexpectedly excellent performance of the instant compounds in electroluminescent devices. This is found to be persuasive and the 35 U.S.C. 103(a) rejection over Langhals et al. in view of JP-A2 9003448 and US Patent No. 5,571,359 has been withdrawn.

In regards to the 35 U.S.C. 103(a) rejection over EP 1,087,005 in view of Langhals et al. (i.e. claims 1, 3, 4, and 19), Applicant argues that there is nothing in the combined art that would motivate one to pick one of the myriad of substituents disclosed in '005 for phenyl DPPs, let alone an arylamine substituent, and place it on the unsubstituted pyridyl DPP of '869. This is found to be persuasive and the 35 U.S.C. 103(a) rejection over EP 1,087,005 in view of Langhals et al. has been withdrawn.

In regards to the 35 U.S.C. 103(a) rejection over DE4435211 in view of US Patent No. 4,415,685 (i.e. claims 1, 11 and 12), the grounds of rejection are moot in view of Applicant's amendment. Therefore, the 35 U.S.C. 103(a) rejection over DE4435211 in view of US Patent No. 4,415,685 has been withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows: claims 27 and 28 are cancelled.

In claim 22, page 2, line 6, delete one of the two commas written after C₄alkyl (i.e. the line should read "C₄alkyl, C₅-C₁₂-cycloalkyl...").

In claim 22, page 3, line 2, delete the comma after R⁶ (i.e. the line should read "R⁶ and R⁷ may...").

In claims 29-31, line 1, delete the phrase "An EL device comprising" and delete the phrase "which composition comprises" and add "comprising" after "a composition". Line 1 of all three claims should read "A composition comprising a guest chromophore".

In claims 32-35, line 1, delete the phrase "An EL device" and replace with "a composition". Line 1 of all four claims should read "A composition according to claim...".

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: the instantly claimed compounds and compositions of formula I are novel and non-obvious over the prior art because of the structural limitation of R5 always being a NR8R9 group. The closest prior art is US Patent No. 5,354,869 which discloses the fluorescent compound 3,6-Bis(2-pyridinyl)-2,5-dihydro-2,5-dimethylpyrrole(3,4-c)pyrrole-1,4-dione (Example 10, column 24). This compound does not have NR8R9 groups as substituents on the pyridinyl groups and this gives the compound different properties than the compounds of the instant claims. Therefore, the compound of US Patent No. 5,354,869 is not within the scope of the compounds of the instant claims nor is it an obvious variant.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KRISTIN BIANCHI whose telephone number is (571)270-5232. The examiner can normally be reached on Mon-Fri 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on 571-272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kamal A Saeed, Ph.D./
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